

Donald E.J. Kilmer, Jr. (SBN: 179986)
E-Mail: Don@DKLawOffice.com
Jason A. Davis (SBN: 224250)
E-Mail: Jason@CalGunLawyers.com
1645 Willow Street, Suite 150
San Jose, California 95125-5120
Voice: (408) 264-8489
Fax: (408) 264-8487

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARK AARON HAYNIE, BRENDAN
JOHN RICHARDS, THE CALGUNS
FOUNDATION, INC., and THE
SECOND AMENDMENT
FOUNDATION, INC.,
Plaintiffs,

vs.

KAMALA HARRIS, Attorney General
of California (in her official capacity)
and CALIFORNIA DEPARTMENT
OF JUSTICE, CITY OF ROHNERT
PARK, OFFICER DEAN BECKER
(RP134), and DOES 1 TO 20,
Defendants.

BRENDAN JOHN RICHARDS, THE
CALGUNS FOUNDATION, INC.,
and THE SECOND AMENDMENT
FOUNDATION, INC.,
Plaintiffs,

vs.

KAMALA HARRIS, Attorney General
of California (in her official capacity)
and CALIFORNIA DEPARTMENT
OF JUSTICE, SONOMA COUNTY
SHERIFFS' OFFICE, SHERIFFS'
DEPUTY GREG MYERS (SD1023)
and DOES 1 TO 20,
Defendants.

Case Nos.: 3:10-CV-01255 SI
3:11-CV-02493 SI
(Consolidated Cases)

**STIPULATION AND ORDER
Re: Deadline to File Amended
Complaint**

Case No.: 3:11-CV-05580 SI
(Related Case)

**STIPULATION AND ORDER
RE: Deadline to File Amended
Complaint**

1 MAX JOSEPH PLOG-HOROWITZ,
2 THE CALGUNS FOUNDATION,
3 INC., and THE SECOND
4 AMENDMENT FOUNDATION, INC.,
Plaintiffs,

5 vs.

6 KAMALA HARRIS, Attorney General
7 of California, CALIFORNIA
8 DEPARTMENT OF JUSTICE,
9 COTATI POLICE DEPARTMENT,
10 CITY OF COTATI, ANDREW
11 LYSSAND (CO0339) and DOES 1 TO
20,
Defendants.

Case No.: 3:12-CV-0452 LB
(Related Case)

**Re: Deadline to File Amended
Complaint**

12 IT IS HEREBY STIPULATED¹ by and between the parties through their
13 respective attorneys of record that the Court should make case management orders
14 in these cases based on the following:

- 15 1. The Sonoma County Defendants were dismissed pursuant to an agreement of
16 the Sonoma County Defendants and the Plaintiffs in *Richards v. Harris II*
17 (*Sonoma County*) 3:11-CV-05580 SI.
18 A. Plaintiffs wish to Amend their Complaint in that action to reflect that
19 dismissal.
20 B. The Defendants in that case (California Department of Justice and
21 Kamal Harris) have consented to the filing of an Amended Complaint
22 in that action on or before September 4, 2012.
23

24
25 ¹ *Haynie v. Harris*, Case No.: 3:10-CV-01255 SI was ordered consolidated with
26 *Richards v. Harris*, Case No.: 3:11-CV-02493 SI, in an ordered filed on October 22,
27 2011. (See Documents # 42 and #15 respectively. The second *Richards v. Harris*,
28 Case No.: 3:11-CV-05580 was ordered to be related with the first two cases in an
order filed on December 21, 2011. (See documents #47 and # 20 respectively.) The
Ploghorowitz v. Harris, Case No.: 3:12-CV-0452 SI was ordered to be related on
April 11, 2012. (See documents #32 and #20)

2. This Court granted in part and denied in part Defendant ROHNERT PARKS's Motion to Dismiss in *Richards v. Harris I (Rohnert Park)* 3:11-CV-02493 SI in an order filed on July 30, 2012 (Doc #39) that gave Plaintiffs until August 13, 2012 to file an Amended complaint. The Defendants in that action have consented to an extension of time to file that amended complaint to and including September 4, 2012.
3. The Defendants in the *Ploghorowitz v. Harris*, Case No.: 3:12-CV-0452 SI have consented to the filing of an amended complaint, on or before September 4, 2012, in that action in order to have the pleadings in that case conform with the Court's rulings on July 30, 2012 in *Richards v. Harris I (Rohnert Park)* 3:11-CV-02493 SI.
4. There is a Case Management Conference in this case currently set for August 24, 2012 at 2:30 p.m. The parties intend for this conference to remain as set.
5. The parties contend that judicial economy and savings to the parties would result in an order that sets a deadline of September 4, 2012 for the filing of all the necessary Amended Complaints in these cases.

SO STIPULATED.

Date: August 9, 2012

Date: August 9, 2012

/s/

Ross Moody,
Counsel for Defendants
Harris & California Dept. of Justice

/s/

Donald Kilmer
Counsel for Plaintiffs

Date: August 9, 2012

/s/

Robert W. Henkels
Counsel for Defendants
City of Rohnert Park & Becker
Counsel for Defendants
Cotati Police Department,
City of Cotati, & Lyssand

**ATTESTATION FOR COMPLIANCE WITH GENERAL ORDER 45 AND
LOCAL RULE VIII.B.**

I, Donald Kilmer, declare under penalty of perjury under the laws of California and the United States that I have in my possession e-mail correspondence from Ross Moody, and Robert Henkels that the content of this document is acceptable to all persons required to sign the document. I declare that this document was signed in San Jose, CA on August 9, 2012.

_____/s/
Donald Kilmer
Attorney for Plaintiffs

ORDER

Plaintiffs shall have until September 4, 2012 to file an amended complaint in *Richards v. Harris II (Sonoma County)* 3:11-CV-05580 SI; *Haynie v. Harris* 3:10-CV-01255 SI; *Richards v. Harris I (Rohnert Park)* 3:11-CV-02493 SI; and *Ploghorowitz v. Harris*, 3:12-CV-0452 SI .

Date:

United States District Judge